

1 Kristen Monsell (CA Bar No. 304793)
2 Email: kmonsell@biologicaldiversity.org
3 Miyoko Sakashita (CA Bar No. 239639)
4 Email: miyoko@biologicaldiversity.org
5 Julie Teel Simmonds (CA Bar No. 208282)
6 Email: jteelsimmonds@biologicaldiversity.org
7 CENTER FOR BIOLOGICAL DIVERSITY
8 2100 Franklin St., Suite 375
9 Oakland, CA 94612
10 Phone: (510) 844-7137
11 Facsimile: (510) 844-7150

12 *Attorneys for Plaintiffs*

13
14
15
16
17
18
19
20
21
22
23
24
**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

CENTER FOR BIOLOGICAL
DIVERSITY, et al.,

Plaintiffs,

v.

DOUG BURGUM, et al.,

Defendants,

and

SABLE OFFSHORE CORP.,

Intervenor-Defendant.

Case No. 2:24-cv-05459-MWC-MAA

**JOINT STIPULATION TO
AMEND SCHEDULING ORDER**

Pursuant to Local Rule 7-1, Plaintiffs, Federal Defendants, and Intervenor-Defendant hereby jointly stipulate to amend the scheduling order for this case. *See* Dkt. No. 36. On December 4, 2024, this Court entered a scheduling order that contemplates a trial in this matter. *See id.* However, all of Plaintiffs’ claims in this case arise under the Administrative Procedure Act (APA), 5 U.S.C. § 706. *See* Dkt. No. 38.2 at 40–48 (Claims for Relief in Plaintiffs’ First Supplemented and Amended Complaint). Judicial review of federal agency action in an APA case is generally based on the administrative record before the agency at the time of its decision. *See Camp v. Pitts*, 411 U.S. 138, 142 (1973). In an APA action, “the function of the district court is to determine whether or not as a matter of law the evidence in the administrative record permitted the agency to make the decision it did.” *Occidental Engineering Co. v. Immigration & Naturalization Service*, 753 F.2d 766, 769 (9th Cir. 1985).

The Parties have met and conferred to review the administrative record, and confirm that it is complete and that no disputes regarding the scope of the administrative record currently exist. Because the Court’s review is based on the administrative record, the Parties agree that they are excused from the requirements of Local Rule 56-1 to 56-4 regarding the filing of a separate “Statement of Uncontroverted Facts” and responses thereto. Accordingly, the Parties request that the Court vacate and supersede its Civil Trial Order, Dkt. No. 36, with the following proposed schedule to resolve this case on cross-motions for summary judgment:

Plaintiffs’ motion for summary judgment	May 2, 2025
Federal Defendants’ combined cross-motion for summary judgment and opposition to Plaintiffs’ motion for summary judgment	May 30, 2025

Intervenor-Defendant's combined cross-motion for summary judgment and opposition to Plaintiffs' motion for summary judgment	May 30, 2025
Plaintiffs' combined opposition to Federal Defendants' and Intervenor-Defendant's cross-motions for summary judgment and reply in support of Plaintiffs' motion for summary judgment	June 13, 2025
Deadline to Complete Settlement Conference ¹ with Settlement Officer Timothy V.P. Gallagher	June 20, 2025
Federal Defendants' reply in support of their cross-motion for summary judgment	June 27, 2025
Intervenor-Defendant's reply in support of its cross-motion for summary judgment	June 27, 2025
Hearing on cross-motions for summary judgment	July 11, 2025

Respectfully submitted this 30 day of April 2025,

/s/ Kristen Monsell

Kristen Monsell (CA Bar No. 304793)
Email: kmonsell@biologicaldiversity.org
Miyoko Sakashita (CA Bar No. 239639)
Email: miyoko@biologicaldiversity.org
Julie Teel Simmonds (CA Bar No. 208282)
Email: jteelsimmonds@biologicaldiversity.org
CENTER FOR BIOLOGICAL DIVERSITY
2100 Franklin St., Suite 375

¹ Pursuant to Local Civil Rule 16-15, this Court's Standing Order at 11, Dkt. No. 34, and the Notice to Parties of Court-Directed ADR Program, Dkt. No. 6. The Parties stipulate to either holding the settlement conference remotely or allowing remote participation in the settlement conference by one or more party upon request.

Oakland, CA 94612
Phone: (510) 844-7100
Fax: (510) 844-7150

Attorneys for Plaintiffs

ADAM R.F. GUSTAFSON
Acting Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice

/s/ Daniel C. Luecke

DANIEL C. LUECKE
Trial Attorney, Natural Resources Section
Ben Franklin Station, P.O. Box 7611
Washington, D.C. 20044-7611
Telephone: (202) 598-7863
Email: daniel.luecke@usdoj.gov

Attorneys for Federal Defendants

LATHAM & WATKINS LLP

/s/ Devin M. O'Connor

Daniel P. Brunton (Bar No. 218615)
Email: daniel.brunton@lw.com
12670 High Bluff Drive
San Diego, CA 92130
Tel.: (858) 523-5400
Fax: (858) 523-5450

Benjamin Hanelin (Bar No. 237595)
Email: benjamin.hanelin@lw.com
355 South Grand Avenue, Suite 100
Los Angeles, California 90071-1560
Tel.: (213) 485-1234
Fax: (213) 891-8763

Janice M. Schneider (*Pro Hac Vice*)

1 Email: janice.schneider@lw.com
2 Devin M. O'Connor (*Pro Hac Vice*)
3 Email: devin.o'connor@lw.com
4 555 Eleventh Street, NW, Suite 1000
5 Washington, D.C. 20004-1304
6 Tel.: (202) 637-2200
7 Fax: (202) 637-2201

8 *Attorneys for Intervenor-Defendant Sable*
9 *Offshore Corp.*

10 I, Kristen Monsell, attest that all other signatories listed, and on whose behalf the
11 filing is submitted, concur in the filing's content and have authorized the filing.

12 /s/ Kristen Monsell
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28